



ILLINOIS COMMERCE COMMISSION

January 22, 2004

Wisconsin Central Ltd.,
Petitioner,

Vs.

Lake County Division of Transportation,
Respondent.

T04-0005

Petition of Wisconsin Central Ltd. seeking an order of the Illinois Commerce Commission directing that an additional track and grade crossing be constructed at Center Avenue (DOT 689 720Y) on the Wisconsin Central Ltd. in Lake County, Illinois.

Mr. Michael J. Barron
Wisconsin Central, Ltd.
455 North Cityfront Plaza Drive
Chicago, IL 60611-5317

Dear Mr. Barron:

Receipt is acknowledged of the original and one (1) copy of the Petition filed January 21, 2004 in the above matter.

All future correspondence/pleadings should be filed with an original and two (2) copies and addressed to: Mr. Dave Lazarides, Acting Director of Processing, Illinois Commerce Commission, 527 E. Capitol Avenue, Springfield, IL 62701 or you may file electronically through E-Docket if you have an account. To apply for an account, please log on to www.icc.state.il.us and apply for an E-docket account.

Processing and Information Section

kl
cc: Mr. Victor A. Modeer, IDOT
Mr. Martin Buehler, Lake County

ORIGINAL

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

RECEIVED
JAN 21 2004

Illinois Commerce Commission
RAIL SAFETY SECTION

WISCONSIN CENTRAL LTD.,

Petitioner,

vs.

LAKE COUNTY DIVISION OF TRANSPORTATION,

Respondents.

DOCKET NO. TO 4-0005

Petition of Wisconsin Central Ltd. seeking an order of the Illinois Commerce Commission directing that an additional track and grade crossing be constructed at Center Avenue (DOT 689 720Y) on the Wisconsin Central Ltd. in Lake County, Illinois.

PETITION

Now comes Petitioner, Wisconsin Central Ltd. ("WCL"), and petitions the Illinois Commerce Commission (the "Commission") for an order directing that an additional track and grade crossing be constructed at Center Avenue (DOT 689 720Y) on the WCL in Lake County, Illinois. In support of its Petition, WCL states as follows:

1. WCL is a rail carrier operating in Illinois and is a rail carrier within the meaning of the Illinois Commercial Transportation Law.
2. Lake County Division of Transportation is a political subdivision within the State of Illinois and is subject to the jurisdiction of the Commission.
3. Center Avenue is a county road under the jurisdiction of the Lake County Division of Transportation.

DOCKETED

JAN 21 2004

3. Center Avenue is a county road under the jurisdiction of the Lake County Division of Transportation.

4. WCL owns and operates a main line of railroad through Cook County continuing into Lake County and to the Wisconsin border.

5. Metra currently operates ten commuter trains per day from Chicago to Antioch, Illinois on the WCL main line described in the preceding paragraph.

6. To improve safety and efficiency of Metra operations and to accommodate future additional Metra trains on WCL's main line, officials from the Engineering Department of WCL and Metra have determined that construction of an additional track, at grade, across Center Avenue in Lake County is necessary to safely accommodate the current and projected Metra trains without interference from or delay caused by freight operations.

7. The WCL traffic and timetable speed, current and projected Metra traffic and timetable speed, and existing and proposed warning devices are set forth in Exhibit A, attached and incorporated herein.

8. The proposed new construction at the grade crossing and the proposed division of cost for implementing the work are also set forth in Exhibit A.

9. A construction plan for the project is attached and incorporated herein as Exhibit B.

10. WCL proposes that it will pay for the new construction and crossing proposed as set forth in Exhibit A, including any required relocation of existing warning devices and any required installation of new constant warning time circuitry.

11. WCL does not agree to accept service by electronic means.

WHEREFORE, Petitioner Wisconsin Central Ltd. respectfully requests that the Commission:

a. Set this matter for hearing with due notice to the parties;

- c. Apportion the costs involved as set forth in Exhibit A; and
- d. Provide such other and further relief as the Commission deems just and appropriate.

Dated at Chicago, Illinois this 19th day of January, 2004.

Respectfully submitted,

WISCONSIN CENTRAL LTD.

By: _____



Michael J. Barron, Jr.
Counsel for Wisconsin Central Ltd.
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Chicago, IL 60611-5317
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michael.barron@cn.ca
ARDC #6228809

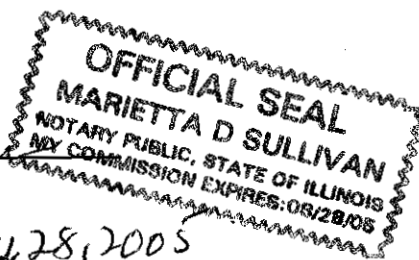
VERIFICATION

David E. Crader, being duly sworn, deposes and says that he is Project Manager-Metra on behalf of Wisconsin Central Ltd., that he has read the foregoing Petition of Wisconsin Central Ltd., and that the contents thereof are true and correct to the best of his knowledge and belief.

David E. Crader

Subscribed and sworn to
before me this 16th day of
January, 2004.

Marietta D. Sullivan
Notary Public



My Commission Expires:

January 28, 2005

EXHIBIT A

Center Avenue
Lake County, Illinois
DOT 689 720Y

- Rail freight traffic: - 30 trains per day
- Timetable speed: - 50 mph

- Metra traffic: - 10 trains per day. (Metra proposes to increase this number to 20 trains per day.)
- Timetable speed: - 60 mph

- Existing warning devices: - Gates/flashers/CWT circuitry.

- Proposed warning devices: - Gates/flashers/CWT circuitry for two tracks.
Devices now located on the west side of the track will be relocated further westward. Devices on the east side of the track will remain in place.

- Proposed crossing surface: - Premium full-depth crossing surface.

COST ALLOCATION

WCL proposes that it will pay for the entire project.

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

WISCONSIN CENTRAL LTD.,

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Respondents.

Petition of Wisconsin Central Ltd. seeking an order of the Illinois Commerce Commission directing that an additional track and grade crossing be constructed at Center Avenue (DOT 689 720Y) on the Wisconsin Central Ltd. in Lake County, Illinois.

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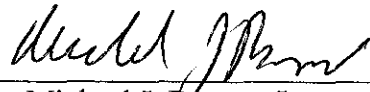
NOTICE OF FILING

Mr. Martin G. Buehler
County Engineer
Lake County Division of Transportation
600 West Winchester Road
Libertyville, IL 60048-1381

PLEASE TAKE NOTICE that we have this 19th day of January, 2004, mailed for filing with the Illinois Commerce Commission, Wisconsin Central Ltd.'s petition in the above-referenced matter, a copy of which is hereby served upon you.

WISCONSIN CENTRAL LTD.

By



Michael J. Barron, Jr.
Counsel for Wisconsin Central Ltd.
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455 North Cityfront Plaza Drive
Chicago, IL 60611-5317
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Fax: (312) 755-7669
michael.barron@cn.ca
ARDC #6228809

CERTIFICATE OF SERVICE

I, MICHAEL J. BARRON, JR., an attorney, certify that on behalf of Wisconsin Central Ltd., I served the foregoing Petition of Wisconsin Central Ltd. upon those made a party to this proceeding by enclosing copies of the foregoing in envelopes addressed to those parties as set forth below, postage prepaid, and depositing the envelopes in the United States Mail at 455 North Cityfront Plaza Drive, Chicago, IL on the 19th day of January, 2004.



Michael J. Barron, Jr.

Mr. Martin G. Buehler
County Engineer
Lake County Division of Transportation
600 West Winchester Road
Libertyville, IL 60048-1381

**PLEASE SEE
FORMAL FILE
FOR EXHIBITS**